

Appl. No. 10/646,793
Amendment dated: January 19, 2006
Reply to OA of: November 16, 2005

REMARKS

Applicants have amended the claims to more particularly define the invention taking into consideration the outstanding Official Action and to place the application in early condition for allowance. The Examiner's helpful comments are appreciated and it is believed that this response overcomes the outstanding rejection and places the application in early condition for allowance. As indicated in the telephone conversation with the Examiner, it is believed that the present amendment overcomes the outstanding rejections under 35 USC 112 and place the application in condition for allowance. The Official Action indicates that the claims are free from prior art.

As noted during the telephone interview with the Examiner, Applicants are making every effort to place the application in condition for allowance. If the Examiner believes that further amendments are necessary, the Examiner is invited to telephone the undersigned attorney to discussion any further necessary amendments to place the application in condition for allowance.

The rejection of claims 1-29 under 35 USC §112, second paragraph, has been carefully considered but is most respectfully traversed in view of the amendments to the claims. Accordingly, it is most respectfully requested that this rejection be withdraw.

It is noted in the Official Action that upon further consideration it is deemed that the claims are indefinite because the independent claims recite more than one composition or alternatively more than one process for preparing. With respect to claim 1, the claim is said to recite a process for preparing a composition which prepares a composition by drying said second solid phase as recited in part (d) of the claim. The Examiner then states that claim 6 further states that claim 1 comprises a further step (e) wherein the second liquid is precipitated to form another solid/liquid phase wherein the solid phase is dried to produce a product. The Examiner suggests that claim 1 be

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reworded to read "drying said second solid phase, wherein said dry second solid phase is the composition". Applicants have basically followed the Examiner's suggestion and claim 1 has been amended to further clarify that the second solid phase forms said composition for treatment of a human liver disease. It is believed that this amendment obviates this aspect of the rejection and it is most respectfully requested that this rejection be withdrawn.

In addition, claim 6 has been rewritten in independent form as claim 30 and it is indicated that the third solid phase forms a composition for the treatment of a human liver disease. It is believed that rewriting claim 6 in independent form is in accordance with the Examiner's proposal thereby obviating this aspect of the rejection.

The Official Action also states that claims 16 and 21 possess analogous indefiniteness and therefore, Applicants have amended claim 16 in a similar manner as claim 1 thereby obviating this aspect of the rejection. Also, claim 21 has been canceled from the application and rewritten as claim 31. Accordingly, it is most respectfully requested that this aspect of the rejection be withdrawn.

In reviewing the claims, claim 15 has been further amended for purposes of clarification. It is noted that because claims 2-5, 7-15 and 22-29 necessarily depend upon claims 1 and 6 and 16 and 21 these claims were also deemed indefinite in the Official Action. For the same reason, since these claims now depend upon amended claims which avoid the rejection, it is most respectfully requested that this aspect of the rejection be withdrawn.

It is believed that all of the claims now present in the application are in full compliance with 35 U.S.C. 112 and are clearly patentable over the references of record.

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In view of the above comments and further amendments to the claims favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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